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Office of the Governor Oil Spill Coordinator's Office

Public MeetingsC Louisiana Regional Restoration Planning

Federal and State natural resource trustees (National Oceanic and Atmospheric Administration (NOAA); United States Department of the Interior; Louisiana Oil Spill Coordinator's Office; Louisiana Department of Environmental Quality; Louisiana Department of Natural Resources; and Louisiana Department of Wildlife and Fisheries) are requesting comments on the Louisiana Regional Restoration Planning Program/Draft Programmatic Environmental Impact Statement, May 2003 (DPEIS).

Notice of the availability of this DPEIS was published in the Federal Register on May 9, 2003, and the comment period ends on July 9, 2003. The purpose of the Louisiana Regional Restoration Planning Program is to develop an institutional framework and procedures that will enable the trustees to restore natural resources injured by oil spills in an expedited and cost effective manner.

PUBLIC MEETINGS: Two public meetings to receive public comments on the Louisiana Regional Restoration Planning Program/Draft Programmatic Environmental Impact Statement, May 2003, will be held on Monday, June 23, 2003. The daytime meeting is scheduled at 2 p.m. and the evening meeting is scheduled at 6:30 p.m. Both meetings will be held at the following location:

Conservation and Mineral Board Resources
Hearing Room
1st Floor, LaBelle Room
Louisiana Department of Natural Resources
LaSalle Office Building
617 N. 3rd Street
Baton Rouge, LA 70802

For further information contact William Conner at [301] 713-3038, ext. 190, or William.Conner@noaa.gov; or visit www.darp.noaa.gov.

Roland Guidry
Oil Spill Coordinator

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Office of the Governor Oil Spill Coordinator's Office

Restoration PlanningC Plaquemines Parish
North Pass Oil Spill

Purpose

The Louisiana Oil Spill Coordinator's Office (LOSCO), as the Trustee coordinator for the State of Louisiana, in consultation and agreement with the state natural resource

trustees, namely the Louisiana Department of Environmental Quality (LDEQ), the Louisiana Department of Natural Resources (LDNR), the Louisiana Department of Wildlife and Fisheries (LDWF); and the federal natural resource trustees, namely the National Oceanic and Atmospheric Administration (NOAA), and the U.S. Department of the Interior (DOI), represented by the U.S. Fish and Wildlife Service (USFWS), have determined that the impacts of the September 22, 2002 discharge of crude oil by Ocean Energy, Incorporated, over which such Trustees have jurisdiction, warrants conducting a natural resource damage assessment that will include restoration planning.

Site and Release Information

On September 22, 2002, an above ground storage tank, owned and operated by Ocean Energy, Incorporated, discharged an undetermined amount of crude oil into the coastal waters of North Pass, Plaquemines Parish, Louisiana. An accurate determination of the released volume is difficult to determine. An original spill volume estimate of 297 barrels was reported based on engineering calculations of throughput and production data. However, on-scene responders visually estimated that the release could have been as much as 700 barrels. An undetermined amount of marsh, other habitats, and fauna inhabiting this area may have been exposed to crude oil as a result of this discharge. Ocean Energy has been designated as the statutory Responsible Party (RP) for this incident pursuant to the Oil Pollution Act of 1990 ("OPA"), 33 U.S.C. §2701 et seq.

North Pass and the adjacent areas are part of the modern Mississippi River delta complex, which is characterized by soft organic sediment. Tidal amplitude is small and often driven primarily by wind. North Pass is bordered by an extensive acreage of freshwater marsh, which is critical nursery habitat for numerous species and provides many other ecological services. The North Pass area also includes bayous, channels, and small islands. Aquatic organisms present include, but are not limited to, finfish, crustaceans, and shellfish. Wildlife species that may be present in the North Pass area include, but are not limited to, resident and migratory birds, furbearers, aquatic mammals, and turtles. Some of the species that may be present have threatened or endangered status.

Authorities

The Trustees are designated pursuant to 33 U.S.C. §2706(b), Executive Order 12777, and the National Contingency Plan, 40 C.F.R. §§300.600 and 300.605. Pursuant to R.S. 30:2460, the State of Louisiana Oil Spill Contingency Plan, September 1995, describes state trust resources, including the following: vegetated wetlands, surface waters, ground waters, air, soil, wildlife, aquatic life, and the appropriate habitats on which they depend. The DOI, through the involvement of the USFWS, is Trustee for natural resources described within the National Contingency Plan, 40 C.F.R. §300.600(b)(2) and (3), which include the following and their supporting ecosystems: migratory birds, anadromous fish, endangered species and marine mammals, federally owned minerals, certain federally managed water

resources, and natural resources located on, over, or under land administered by DOI. NOAA's trust resources include, but are not limited to, commercial and recreational fish species, anadromous and catadromous fish species, marshes and other coastal habitats, marine mammals, and endangered and threatened marine species.

Trustees' Determinations

Following the notice of the discharge, the natural resource trustees have made the following determinations required by 15 C.F.R. §990.41(a).

- The natural resource trustees have jurisdiction to pursue restoration pursuant to the Oil Pollution Act (OPA), 33 U.S.C. §2702 and 2706(c) and the Oil Spill Prevention and Response Act (OSPR), R.S. 30:2451 et seq. The Trustees have further determined that the discharge of crude oil into the area of North Pass on September 22, 2002, was an incident, as defined in 15 C.F.R. §990.30 and LAC 43:XXIX.109.
- This incident was not permitted under state, federal or local law.
- The incident was not from a public vessel.
- The incident was not from an onshore facility subject to the Trans-Alaska Pipeline Authority Act, 43 U.S.C. §1651, et seq.
- Natural resources under the trusteeship of the natural resource Trustees listed above may have been injured as a result of the incident. The crude oil discharged contains components that may be toxic to aquatic organisms, infauna, birds, wildlife and vegetation. Vegetation, birds, and/or aquatic organisms have been exposed to the oil from this discharge, and mortalities to some flora and fauna, as well as lost ecological services, may have resulted from this incident.

Because the conditions of 15 C.F.R. §990.41(a) were met, as described above, the trustees made the further determination, pursuant to 15 C.F.R. §990.41(b) and LAC 43:XXIX.101, to proceed with preassessment. Ocean Energy, Incorporated, at the invitation of the Trustees, agreed to participate in the preassessment phase of this case, pursuant to 15 C.F.R. §990.14(c) and LAC 43:XXIX.115.

Determination to Conduct Restoration Activities

For the reasons discussed below, the natural resource trustees have made the determinations required by the 15 C.F.R. §990.42(a) and are providing notice pursuant to 15 C.F.R. §990.4 and LAC 43:XXIX.123 that they intend to conduct restoration planning in order to develop restoration alternatives that will restore, replace, rehabilitate, or acquire the equivalent of natural resources injured and/or natural resource services lost as a result of this incident.

Injuries have resulted from this incident, although the extent of such injuries has not been fully determined at this time. The Trustees base this determination upon data collected and analyzed pursuant to 15 C.F.R. §990.43 and LAC 43:XXIX.119, which demonstrate that resources and services have been injured by this incident. Natural resources and natural resource services injured or lost as a result of the discharge and the response may include, but are not limited to, aquatic organisms, infauna, birds, vegetation, benthic communities, water quality, fish and wildlife, and recreational use opportunity.

Although response actions were pursued, the nature of the discharge and the sensitivity of the environment precluded prevention of some injuries to natural resources. The trustees believe that injured natural resources could return to baseline through natural or enhanced recovery, but interim losses have occurred and will continue to occur until a return to baseline is achieved.

Feasible primary and compensatory restoration actions exist to address injuries from this incident. Restoration actions that could be considered include, but are not limited to replanting native wetland vegetation in appropriate areas, and creation, enhancement or protection of marsh.

Assessment procedures are available to evaluate the injuries and define the appropriate type and scale of restoration for the injured natural resources and services. The Habitat Equivalency Analysis to determine compensation for injuries to marsh vegetation and marsh services may be utilized.

Public Involvement

Pursuant to 15 C.F.R. §990.44(c) and LAC 43:XXIX.135, the Trustees will seek public involvement in restoration planning for this discharge, through public review and comments on the documents contained in the administrative record, which will include the Draft and Final Restoration Plans when completed. The administrative record for this discharge will be maintained at the Louisiana Oil Spill Coordinator's Office. For more information, please contact the Louisiana Oil Spill Coordinator's Office, State Office Building, 150 North 3rd Street, Suite 405, Baton Rouge, LA, 70801-1313; phone (225) 219-5800 (Attn: Oil Spill/Gina Muhs Saizan).

The Louisiana Oil Spill Coordinator, as the Lead Administrative Trustee, and on behalf of the natural resource trustees of the State of Louisiana, DOI/USFWS, and NOAA, pursuant to the determinations made above and in accordance with 15 C.F.R. §990.44(d) and LAC 43:XXIX.135, hereby provides Ocean Energy, Inc., this Notice of Intent to Conduct Restoration Planning and invites its participation in conducting the restoration planning for this incident.

Roland J. Guidry
Oil Spill Coordinator

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**Department of Health and Hospitals
Office of Management and Finance
Division of Research and Development
Office of Primary Care and Rural Health**

Community-Based and Rural Health Program Grants

Effective July 15, 2003, the Department of Health and Hospitals, Division of Research and Development, Office of Primary Care and Rural Health, will begin accepting letters of intent from applicants who are interested in applying for funding to support the development of new federally qualified community health centers in health professional shortage areas (HPSA) or for other projects that are designed